

### REMARKS

In the Office Action dated 08/18/2003 the Examiner rejected several claims under §112, and rejected all pending claims (80-100) as anticipated by Beale (WO 96/33063). The claims are amended, several claims are deleted, and one new claim is added.

#### **Section 112 Rejection**

The Examiner rejected Claims 80-89 and 100 as using both parison and perform and thus as being indefinite under Section 112. Claims 90-94 were rejected under a separate basis.

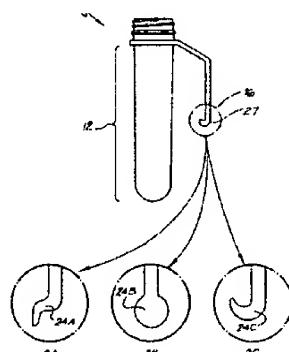
Claims 90-94 are deleted so the separate rejection of those claims is not addressed.

The remaining claims are clarified to use the term perform consistently. Reconsideration and withdrawal of the Section 112 rejection is thus respectfully requested.

#### **Section 102 Rejection**

Claims 30-100 were rejected as anticipated Beale WO96/33063, with Claim 100 being rejected based on Figures 2 and 4 of Beal. The Examiner is requested to reconsider Figures 2 and 4 of the Beal patent relative to the "tag" of Claim 100, which has been added to Claim 80. The tag is shown in Figures 42-43 of the application as part 203, and is described in part at pages 20-21 of the application. Amended Claim 80 defines the tag as "extending from a lower edge of said solid stem of said perform, the tag being integrally connected to the preform."

Figures 2 and 4 of Beale were said by the Examiner to disclose a tag integrally connected to the preform. But Figure 2 of Beale discloses lower ends to the handle of the preform which are not intended for integral connection by means of a strap to a container blown from the preform. Instead, the arrangements of Figure 2 (shown here) comprise bulbous shapes 27 on a lower end of the handle of the preform which are intended to allow the wall of the blown container to form around them. Beal, pg. 9, lines 14-25.



But Claim 80 defines a preform, not a blown container. At no time does the disclosure of Beal's Figure 2 indicate an intention that these bulbous shapes on the end of the

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stem be connected in any way to the wall of the preform. Figure 2 thus does not show the tag defined in amended Claim 80.

Figure 4 of the cited Beal reference is used to describe a two stage molding process and does not show or describe the bulbous portions 27, nor the attachment of a bulbous stem end to the perform. Beal Fig. 4, pg. 9, line 26 to pg. 10, line 6. Figure 4 thus does not show or suggest the tag defined in amended Claim 80 (original Claim 100).

Accordingly it is submitted that Claim 80 as now amended defines a tag extending from a lower edge of the solid stem (handle) of the preform, the tag being integrally connected to the preform. It is submitted that this feature is not disclosed in the Beale citation, nor in any of the other citations relied upon by the Examiner. Indeed, there is no mention of any form of integral connection between a lower end of the handle of the Beale citation and the wall of the preform. Accordingly, there is no anticipation.

Reconsideration and allowance of the claims is thus respectfully requested.

#### **Other Amendments**

Claim 80 is amended to insert the article "a" at two locations and to replace "or" with "of." These minor changes are for grammatical clarity; they are believed to be tangential to patentability as the claims can be understood by one skilled in the art as previously written; they do not narrow the scope of the claims.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

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